

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

MICHAEL SCOTT LOVELY,

Plaintiff,

vs.

STATE OF WASHINGTON and THE
MUNICIPALITY OF BAINBRIDGE
ISLAND,

Defendants.

MEMORANDUM DECISION AND
ORDER ADOPTING REPORT AND
RECOMMENDATION

Case No. 2:07-CV-317 TS

Before the Court is the Report and Recommendation¹ issued by Magistrate Judge Warner on June 6, 2008, recommending that Defendants' Motion to Dismiss² be denied and that this case be transferred to the United States District Court for the Western District of Washington. The parties were informed of their right to file any objection to the Report and Recommendation within ten days after receiving it pursuant to 28 U.S.C. § 636(b)(1)(C) and Federal Rule of Civil Procedure 72(b)(2). To date, the Court has received no objections.

¹Docket No. 39.

²Docket No. 15.

Having considered the pleadings and memoranda in the file, the Court fully agrees with the Magistrate Judge's Report and Recommendation.

Accordingly, it is hereby


ORDERED that the Magistrate Judge's Report and Recommendation [Docket No. 39] is ADOPTED IN FULL. It is further

ORDERED that Defendants' Motion to Dismiss [Docket No. 15] is DENIED WITHOUT PREJUDICE. It is further

ORDERED that pursuant to 28 U.S.C. § 1406(a) this case is TRANSFERRED to the United States District Court for the Western District of Washington.

DATED July 1, 2008

BY THE COURT:



TED STEWART
United States District Judge